

PATENT
7284/52829-R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Applicant : David G. Bird
Serial No. : 08/862,039
Filed : May 22, 1997
For : LOCATION OF MISSING VEHICLES
Group A.U. : 3662
Examiner : T. Blum

For Reissue of Original Patent
No. 5,418,537 issued May 23, 1995

Appeal No.: 2002-0393

I hereby certify that this paper is being facsimile transmitted to the
United States Patent and Trademark Office on the date indicated
above.

William E. Pelton 11/5/02
William E. Pelton Date
Reg. No. 25, 702 November 3, 2002

NOV - 5 2002
APPEALS &
INTERFERENCES

APPELLANT'S WAIVER OF HEARING

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice of Hearing mailed October 18, 2002, a copy of which is attached, appellant hereby waives attendance at the oral hearing scheduled for December 12, 2002. Appellant waives attendance at the hearing because its position that the claims on appeal

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contain material narrowing limitations not present in cancelled claims, and that recapture is consequently avoided, is clear from the briefing.

Dated: November 5, 2002

Respectfully submitted,
COOPER & DUNHAM LLP



William E. Pelton
Reg. No. 25,702
Cooper & Dunham LLP
1185 Avenue of the Americas
New York, New York 10036
(212) 278-0400

WEP:efb

OCT 18 2002


 ASSISTANT SECRETARY AND COMMISSIONER OF
 PATENTS AND TRADEMARKS
 Washington, D.C. 20231

 PAT. & T.M. OFFICE
 BOARD OF PATENT APPEALS
 AND INTERFERENCES
 3765

 Donald S. Dowden
 Cooper & Dunham
 1185 Avenue of the Americas
 New York, NY 10036

 Appeal No:
 Appellant:
 Application No:
 Hearing Room:
 Hearing Docket:
 Hearing Date:
 Hearing Time:
 Location:

Paper No: 39

2002-0393
Bird, David G.
08/862,039
A
B
Thursday, December 12, 2002
1:00 PM
Room 12C07
CRYSTAL GATEWAY 2
1225 Jefferson Davis Highway
Arlington, VA 22202

NOTICE OF HEARING

CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS

Your attention is directed to 37 CFR § 1.194(a).

The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up.

The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.

This form must be completed below and filed with the Board of Patent Appeals and Interferences preferably by facsimile within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this form may alternatively be filed by mail if facsimile is not available.

Failure to file this form within this time period will be construed as a waiver of the request for oral hearing.

37 CFR § 1.136(a) does not apply.

By order of the Board of Patent Appeals and Interferences

BPAI HEARINGS FAX No:

(703) 308-6199

See 1108 Off. Gaz. Pat. Trademark
 Office 15 (Nov. 14, 1989)

Clerk of the Board (703)-308-9797

BPAI Mailing Address:

BOARD OF PATENT APPEALS AND INTERFERENCES
 COMMISSIONER OF PATENTS AND TRADEMARKS
 WASHINGTON, D.C. 20231

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE:

- ☐ HEARING ATTENDANCE CONFIRMED
☒ HEARING ATTENDANCE WAIVED

William E. Patton
 Signature of Attorney/Agent/Appellant

November 5 2002 *25,702*
 Date Registration No.

 BOARD OF PATENT
 APPEALS &
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COOPER & DUNHAM LLP

ATTORNEYS AT LAW

1185 AVENUE OF THE AMERICAS, NEW YORK, NEW YORK 10036

TELEPHONE: (212) 278-0400

CHRISTOPHER C. DUNHAM
NORMAN H. ZIVIN
JOHN P. WHITE
WILLIAM E. PELTON
ROBERT D. KATZ
PETER J. PHILLIPS
WENDY E. MILLER
ROBERT T. MALDONADO
ERIC D. KIRSCH
ALAN J. MORRISON
GARY J. GERSHIK
MICHAEL F. MORANO
FRANK A. BRUNO
JASON S. MARIN
KEITH J. BARKAUS
HARVEY AGOSTO
ANTHONY V. FLINT*

IVAN S. KAVRUKOV
PETER D. MURRAY
JAY H. MAIOLI
ROBERT B.G. HOROWITZ
DONALD S. DOWDEN
DONNA A. TOBIN
RICHARD S. MILNER
RICHARD F. JAWORSKI
PAUL TENG
PEDRO C. FERNANDEZ
TODD W. EVANS
ALAN D. MILLER
CHRISTINE S. NICKLES
SPYROS S. LOUKAKOS*
MARIA V. MARUCCI
DEEPRO R. MUKERJEE

FACSIMILE: (212) 391-0525
(212) 391-0526
(212) 391-0630

OF COUNSEL
JOHN R. GARBER
MARK A. FARLEY

SCIENTIFIC ADVISORS
BRIAN J. AMOS, PH.D.
NICHOLAS F. MUTO, PH.D.
JOSEPH B. CRYSTAL, PH.D.
ARMAND L. BALBONI, M. PHIL.
MURIEL M. LIBERTO, PH.D.

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FROM: William E. Pelton

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DATE: November 5, 2002

RE: Appeal No.: 2002-0398 - Serial No. 08/862,039

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ADDITIONAL COMMENTS:

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